

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JULIO ANGULO,

Case No. 3:21-cv-00230-LRH-CLB

v

Plaintiff,

ORDER

DIANA SULLIVAN, *et al.*,

Defendants.

I. DISCUSSION

Plaintiff, a pro se prisoner, previously filed an application to proceed *in forma pauperis* and submitted a civil rights complaint and an amended civil rights complaint pursuant to 42 U.S.C. § 1983. (ECF Nos. 1-1, 5, 6).

19 Plaintiff now files a motion for voluntary dismissal. (ECF No. 7). Pursuant to
20 Federal Rule of Civil Procedure 41(a)(1), a plaintiff may dismiss an action without a court
21 order by filing “a notice of dismissal before the opposing party serves either an answer or
22 a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). The Court grants
23 Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has
24 been filed in this case. Therefore, the Court dismisses this action without prejudice.

II. CONCLUSION

26 For the foregoing reasons, IT IS ORDERED that the motion for voluntary dismissal
27 (ECF No. 7) is granted.

1 IT IS FURTHER ORDERED that this action is dismissed in its entirety without
2 prejudice.

3 IT IS FURTHER ORDERED that the application to proceed *in forma pauperis* (ECF
4 No. 5) is denied as moot.

5 IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment
6 accordingly and close this case.

7 DATED this 9th day of July, 2021.



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9 LARRY R. HICKS
10 UNITED STATES DISTRICT JUDGE
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